

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CRIMINAL MINUTES - RULE 32.1 INITIAL APPEARANCE & DTN
(Probation/Supervised Release Revocation)

Case No.: 7:25cr18 & 7:19cr21

Date: 6/30/2025

Defendant: Kevin Bradbury, custody

Counsel: Nia Vidal, FPD

PRESENT:	JUDGE:	Kailani Memmer	TIME IN COURT: 57 min
	Deputy Clerk:	K.Saville	
	Court Reporter:	K.Saville/FTR	
	U. S. Attorney:	Charlene Day	
	USPO:	Alison Spence, Dennis Gardner	

Defendant arrested on warrant from Roanoke Division.

RIGHTS:

- Defendant advised of the alleged violation of probation/supervised release.
- Defendant advised of right to retain counsel or to request that counsel be appointed by the court.
- Defendant advised of right to preliminary hearing if held in custody.
- Defendant advised of right to bond/detention hearing.

PRELIMINARY HEARING:

- Probable cause found
- Preliminary hearing waived.

Proceedings:

- Government moves for detention.
- Detention hearing held. Record proceedings, witnesses etc.
- Court grants motion for detention.

RELEASE/DETENTION:

- Government moves for detention. Detention hearing held.
- Written Order of Detention to enter.
- Revocation hearing will follow with new indictment case, 8/19/25 @ 9am.

Additional Information:

1:04

All parties present and represented by counsel.

Defendant sworn.

Court addresses defendant as to alleged allegations to the SRV.

Defendant waives PH, and PC is found by the court.

2 standards to release one under SRV, and one on the new indictment.

F1 bases and a presumption case as to holding det. Hearing.

Defense calls USPO Dennis Gardner- sworn.

Defense calls Donna Bradbury-def mother- sworn.

Proffer

1st picture- is control buy 1 – 12/3

2nd pic- control buy 2- 12/11- can see defendants tattoos

3rd pic- 12/18 control buy-28 grams of meth mixture- can see def face

These will be entered into evidence collectively as govt exhb 1.

Argument

Defense doesn't feel defendant is a danger to community, defense request for defendant to be placed into some sort of mental health treatment. Defendant is not a flight risk, has close ties to community, has lived here his whole life. Offering mother as 3rd party custodian.

Government feels it has a strong case as to the indictment. Photos of control buys, defendant has

Defense has 2 contempt convictions, convicted of several FTA's, has felonious assault, has had previous SRV, many drug related offenses, 2 A&B charges, shows defendant cannot follow directions of the court, has resistant charge in past. Felon with gun charge, adds danger to community. 6 felons, 13 misdemeanor charges as to current criminal history.

Prior federal drug conviction. Defendant was living with mother during many of the fail to reports and failing to abide by court/probations orders. Has substance abuse history, pending charges, gang involvement. Breach of trust with the court has happened repeatedly.

Defense states many of the charges are dated. States defendant did try to get help but was not able to due to transportation.

Defense advises mother did not know matters that were happening outside of the house, if defendant was on LM mother would be there to keep watch on him.

Court addresses request to detain by govt. This is a presumption case, govt to show def is a flight risk or safety of community- the defendant has not rebutted the presumption of this case. Court does find that by perpondrance of the evidence has shown the def would appear for court and there are not conditions of release as to safety of community. Def on SRV when 3 controlled buys took place, weight of evidence is strong, as to photos and the indictment returned in this case. Defendants' criminal history, concerned as to prior drug offenses, was on SRV at the time, poss w/ intent to distrib, possession charge, assault charges, felon in possession, many A&B on family members, resisting arrest, several probation violations, 5 FTA- 3 which were found guilty on. Contempt charges, when looking at the totality of the criminal history it does not favor for the defendant. Court did consider Probations as to issues reporting to PO, positive UA's. Criminal record and weapon, drugs are very concerning to the court for safety to the community.

Defendant had outburst in court, disrupting proceeding, Judge continued explanation once defendant was once again compliant. Court finds defendant shall be remanded to custody of USMS on both cases.

2:01